

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JODY M. BROOKS,

Plaintiff,

v.

COROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

Case No. 2:12-cv-434

JUDGE GREGORY L. FROST
Magistrate Judge Mark R. Abel

ORDER

This matter is before the Court for consideration of the Magistrate Judge's April 11, 2013 Report and Recommendation. (ECF No. 17.) In that filing, the Magistrate Judge recommended that the decision of the Commissioner of Social Security be remanded under 42 U.S.C. § 405(g), sentence 6, for consideration of new and material evidence, and that the case be administratively closed. (*Id.* at Page ID # 716.) The Report and Recommendation also advised the parties that the failure to object within fourteen days would result in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (*Id.* at Page ID # 716-17.)

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed, that the time for filing such objections has expired, and that the Magistrate Judge's reasoning is correct, the Court **ADOPTS** the Report and Recommendation, **REMANDS** pursuant to 42 U.S.C. § 405(g), sentence 6, for consideration of new and material evidence, and **ADMINISTRATIVELY CLOSES** the case while the Commissioner is considering the new and

material evidence on remand.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE